

**OPINIONS AND DECLARATIONS  
RENDERED BY THE INTER-  
NATIONAL COMMISSION ON  
ZOOLOGICAL NOMENCLATURE**

*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**  
Secretary to the Commission

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**OPINION 474**

Determination of the dates to be assigned for the purposes  
of the Law of Priority to the names published in Dru  
Drury's *Illustrations of Natural History* in the period  
1770—1782



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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

## COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 474

### A. The Officers of the Commission

*Honorary Life President* : Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

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(12th August 1953)

*Vice-President* : Senhor Dr. Afranio do AMARAL (*Sao Paulo, Brazil*) (12th August 1953)

*Secretary* : Mr. Francis HEMMING (*London, England*) (27th July 1948)

### B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent re-election as prescribed by the International Congress of Zoology*)

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(1st January 1947)

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Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*) (29th October 1954)

Doc. Dr. Ferdinand PRANTL (*Národní Museum V Praze, Prague, Czechoslovakia*) (30th October 1954)

Professor Dr. Wilhelm KÜHNELT (*Zoologisches Institut der Universität, Vienna, Austria*) (6th November 1954)

Professor F. S. BODENHEIMER (*The Hebrew University, Jerusalem, Israel*) (11th November 1954)

Professor Ernst MAYR (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*) (16th December 1954)

## OPINION 474

### DETERMINATION OF THE DATES TO BE ASSIGNED FOR THE PURPOSES OF THE LAW OF PRIORITY TO THE NAMES PUBLISHED IN DRU DRURY'S “ ILLUSTRATIONS OF NATURAL HISTORY ” IN THE PERIOD 1770—1782

**RULING** :—(1) Dru Drury did not apply the principles of binominal nomenclature in the main text of any of the three volumes of the work entitled *Illustrations of Natural History* but he did apply those principles in the indexes annexed to each of those volumes.

(2) It is hereby ruled that in accordance with the provisions of *Declaration* 33 the names published in the indexes to the three volumes in which the above work was published, being names formed in accordance with the principles of binominal nomenclature, are to be accepted as available names, there being an unambiguous link between the names in those indexes and the corresponding descriptions and plates in the main text.

(3) It is hereby ruled that, in view of the fact that, although Volume 1 of Drury's work was published in 1770, the index containing the binominal names for the

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species described and figured in that volume was not published until 1773, the names for those species rank for priority only as from 1773.

(4) The title of the under-mentioned work is hereby placed on the *Official List of Works Approved as Available for Zoological Nomenclature* with the Title Number 30, the entry so made to be endorsed as specified below :—

Drury (D.), *Illustrations of Natural History*, 3 vols., the dates of each volume being as specified below and in the case of Volume 1 the date to be accepted for determining the priority of names published therein to be as so shown :—

Volume 1 [1773] (the date of publication of the index containing names formed in accordance with the principles of binominal nomenclature for the species described and figured but not so named in the main text published in 1770)

Volume 2 [1773] (the date of publication both of the binominal index and of the non-binominal text)

Volume 3 [1782] (the date of publication both of the binominal index and of the non-binominal text).

## I. THE STATEMENT OF THE CASE

In March 1955 the Secretary submitted to the International Commission on Zoological Nomenclature a request for a *Declaration* clarifying, *inter alia*, the status of names formed in accordance with the principles of binominal nomenclature when published in the index of a work, in the main text of which a non-binominal system of nomenclature had been employed (Hemming, 1955, *Bull. zool. Nomencl.* **11** : 246—249) ; in this application reference was made to the example of this type of work provided by Dru Drury's *Illustrations of Natural History* published in the period 1770—1782. On 7th April 1955 Mr. Hemming submitted the following application for a Ruling to be given as to the status of, and the priority to be assigned to, names published in the above work, as soon as a *Declaration* on the question of principle involved had, as proposed, been adopted by the International Commission :—<sup>1</sup>

**Proposed entry on the “ Official List of Works Approved as Available for Zoological Nomenclature ” of the title of Dru Drury's “ Illustrations of Natural History ” and determination of the dates to be attributed to the names published in the several volumes of that work**

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

In a paper numbered Z.N.(S.) 929 I have submitted a recommendation that the International Commission should adopt a *Declaration* defining the conditions in which a name published in the index of a book is to be accepted as possessing the status of availability.<sup>2</sup> The

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<sup>1</sup> A decision regarding the status of names published in the index of a work has since been adopted by the International Commission and embodied in *Declaration* 33 which was published on 21st June, 1957 as Part 14 of the present volume.

<sup>2</sup> See Footnote 1.

foregoing problem first came to notice in connection with the application regarding the generic name *Antirhynchonella* (Class Brachiopoda) submitted by Dr. Thomas W. Amsden (*The Johns Hopkins University, Baltimore, Maryland, U.S.A.*), a name which was first published in the index to a work by Quenstedt in the body of which the group concerned was referred to only under the vernacular (German) term "Antirhynchonellen" (Amsden, 1952, *Bull. zool. Nomencl.* 6 : 242—244)<sup>3</sup>.

2. In the application referred to above I mentioned the very important case represented by Dru Drury's *Illustrations of Natural History* and expressed the view that it was desirable that, as soon as the Commission had taken a decision on the question of adopting the *Declaration* there recommended, it should give a Ruling that the names published in the index to Drury's book were available under Article 25. The facts of this case are set out below.

3. Drury's *Illustrations of Natural History*, the first volume of which was published in 1770, consists of three volumes illustrated by a large number of well executed coloured plates of exotic insects. In the text these species are referred to only under vernacular names. In the preface to the second volume published in 1773 Drury mentioned that his first volume had been criticised because he had not given scientific names for the species which he had described and figured in that volume. He added that he proposed now to remedy this defect by giving for those species "generic and trivial" names as in the system originated by Linnaeus. He carried out this intention by supplying these names in a special index. He did this not only for the volume immediately concerned (vol. 2) and for the concluding volume (vol. 3) but also for volume 1. The index for this latter volume was published at the same time as volume 2, i.e. in 1773. Thus, although the text and plates belonging to volume 1 were published in 1770, the index in which the scientific names for the insects described and figured in that year were given did not appear until three years later. The third volume was published in 1782.

4. The names published by Drury in the manner described above have been universally—and rightly—accepted by entomologists, but in the special circumstances it is desirable that the seal of official approval should be given to this practice by adding the title of Drury's book to the *Official List*. It is desirable that at the same time a note should be inserted as to the date as from which the names published

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<sup>3</sup> The Commission's decision in this case has since been embodied in *Opinion 374* (*Ops. Decls. int. Comm. zool. Nomencl.* 11 : 369—378).

in the index to volume 1 rank for purposes of priority, for Drury's note in the preface to volume 2 has at times been overlooked and in consequence names so published have sometimes been attributed to the year 1770, i.e. to the date on which the text and plates of that volume appeared, instead of to the date, three years later, when those names were actually published.

5. The International Commission is accordingly asked to place the title of the under-mentioned work on the *Official List of Works Approved as Available for Zoological Nomenclature* with the note shown below as to the date as from which names published in this work rank for purposes of priority :—Drury (D.), 1770—1782, *Illustrations of Natural History*: volume 1, [1773] (the date of publication of the index in which the scientific names for species described in this volume were first published); volume 2, [1773]; vol. 3, [1782].

## II. THE SUBSEQUENT HISTORY OF THE CASE

**2. Registration of the present application :** Upon the receipt of Mr. Hemming's application the question of the dates to be assigned to the names published in Dru Drury's *Illustrations of Natural History* was allotted the Registered Number Z.N.(S.) 930.

**3. Publication of the present application :** The present application was sent to the printer on 21st April 1955 and was published on 7th July in the same year in Part 8 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Hemming, 1955, *Bull. zool. Nomencl.* **11** : 250—251).

**4. No objection received :** No objection to the action proposed in the present case was received from any source.

### III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

**5. Issue of Voting Paper V.P.(56)31 :** On 27th April 1956 a Voting Paper (V.P.(56)31) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to Dru Drury's *Illustrations of Natural History* as set out in paragraphs 4 and 5 on page 251 of Volume 11 of the *Bulletin of Zoological Nomenclature*" [i.e. in the paragraphs numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

**6. The Prescribed Voting Period :** As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 27th July 1956.

**7. Particulars of the Voting on Voting Paper V.P.(56)31 :** At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(56)31 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-four (24) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Esaki ; Jaczewski ; Dymond ;  
Prantl ; Hankó ; Bonnet ; Bodenheimer ; Mayr ;  
Lemche ; Key ; Boschma ; do Amaral ; Riley ;  
Mertens ; Cabrera ; Kühnelt ; Stoll ; Sylvester-  
Bradley ; Tortonese ; Hemming ; Vokes ; Miller ;



(b) *Negative Votes* :

None ;

(c) *On Leave of Absence, one (1)* :

Bradley (J.C.) ;

(d) *Voting Papers not returned* :

None.

**8. Declaration of Result of Vote :** On 28th July 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(56)31, signed a Certificate that the Votes cast were as set out in paragraph 7 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

**9. Preparation of the Ruling given in the present "Opinion" :** On 14th March 1957 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(56)31.

**10.** The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Opinion* shall be known as *Opinion Four Hundred and Seventy-Four (474)* of the International Commission on Zoological Nomenclature.

DONE in London, this Fourteenth day of March, Nineteen Hundred and Fifty-Seven.

*Secretary to the International Commission  
on Zoological Nomenclature*

FRANCIS HEMMING.